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 5

Attorneys for Defendants  
 6 PORTFOLIO LENDING, INC., and  
 DONALD KUNG, an individual  
 7

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10

11 COLONY INSURANCE COMPANY, a Virginia  
 Corporation,

12 Plaintiff,

13 vs.  
 14

PORTFOLIO LENDING, INC., DONALD  
 15 KUNG, an individual, and SAM LEONETTI, an  
 individual,

16 Defendants.  
 17

CASE NO. 10-CV-00740-SC

**REQUEST AND STIPULATION AND  
 [PROPOSED] ORDER**

18 The parties to the above entitled action hereby request and stipulate by and through their  
 19 respective counsel of record herein that:

20 (A) All parties have agreed to participate in a mediation before the Honorable Richard  
 21 Silver with JAMS on March 28, 2011.

22 (B) The deadline is hereby extended from March 28, 2011, to April 4, 2011, to file  
 23 and exchange the following documents as set forth in the March 1, 2011, Court Trial Preparation  
 24 Order:

- 25 (1) Proposed Findings of Fact and Conclusions of Law
- 26 (2) A trial brief.
- 27 (3) A list of exhibits.
- 28 (4) A list of witnesses, including expert witnesses, in the expected order of

1 their presentation.

2 (5) A statement designating all excerpts from depositions (specifying the  
3 witness' name, with page and line references), answers to interrogatories, and responses to  
4 requests for admission to be offered at trial for any purpose other than impeachment or rebuttal.

5 It is so stipulated.

6  
7 DATED: March 11, 2011

CHARLSTON, REVICH & WOLLITZ,  
LLP

8  
9 By: 

ALAN H. LAZAR  
Attorney for Plaintiff COLONY  
INSURANCE COMPANY

10  
11  
12 DATED: March \_\_\_\_, 2011

YARON & ASSOCIATES

13  
14 By: \_\_\_\_\_

GEORGE D. YARON  
HENRY M. SU  
MATTHEW A. ZAVALA  
Attorneys for Defendants Portfolio Lending,  
Inc., and Donald Kung, individually

15  
16  
17  
18 DATED: March \_\_\_\_, 2011

LAW OFFICE OF MICHELLE L. MCGILL

19  
20 By: \_\_\_\_\_

MICHELLE L. MCGILL  
Attorneys for Defendant Sam Leonetti

21  
22 IT IS SO ORDERED.

23  
24 DATE: March \_\_\_\_, 2011

By: \_\_\_\_\_

The Honorable Samuel Conti  
United States District Court Judge

1 their presentation.

2 (5) A statement designating all excerpts from depositions (specifying the  
3 witness' name, with page and line references), answers to interrogatories, and responses to  
4 requests for admission to be offered at trial for any purpose other than impeachment or rebuttal.

5 It is so stipulated.

6  
7 DATED: March \_\_\_\_, 2011

CHARLSTON, REVICH & WOLLITZ,  
LLP

8  
9 By: \_\_\_\_\_  
10 ALAN H. LAZAR  
11 Attorney for Plaintiff COLONY  
INSURANCE COMPANY

12 DATED: March 11, 2011

YARON & ASSOCIATES

13  
14 By: \_\_\_\_\_  
15 GEORGE D. YARON  
16 HENRY M. SU  
17 MATTHEW A. ZAVALA  
Attorneys for Defendants Portfolio Lending,  
Inc., and Donald Kung, individually

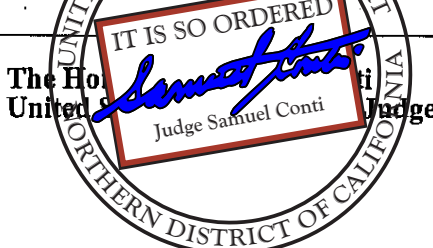
18 DATED: March 11, 2011

LAW OFFICE OF MICHELLE L. MCGILL

19  
20 By: Michelle McGill  
21 MICHELLE L. MCGILL  
Attorneys for Defendant Sam Leonetti

22 IT IS SO ORDERED.

23  
24 DATE: March 15, 2011

25  
26 By: \_\_\_\_\_  
27  
28 

**CERTIFICATE OF SERVICE**

I am over 18 years of age and not a party to the within action. I am employed in the County of San Francisco; my business address is **Yaron & Associates, 601 California Street, Suite 2100, San Francisco, California 94108.**

On **March 14, 2011**, I served the within:


**REQUEST AND STIPULATION AND [PROPOSED] ORDER**

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

*TO ALL PARTIES ON THE ECF SERVICE LIST*

✕ **VIA ELECTRONIC SERVICE:** I served a true copy, with all exhibits, electronically on designated recipients through PACER. Upon completion of electronic transmission of said document(s), a receipt is issued to serving party acknowledging receipt by PACER's system. Once PACER has served all designated recipients, proof of electronic service is returned to the filing party which will be maintained with the original document(s) in our office. This service complies with CCP §101.6.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on **March 14, 2011**, at San Francisco, California.

  
**Lorenia Ramirez**  
lramirez@yaronlaw.com